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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,871	11/13/2003	William George Carberg	839-1367	6296

30024 7590 12/06/2004

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EXAMINER

RODRIGUEZ, WILLIAM H

ART UNIT	PAPER NUMBER
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3746

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/705,871

Applicant(s)

CARBERG ET AL.

Examiner

William H. Rodriguez

Art Unit

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 6 and 9 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 5, 7, 8 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/10/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

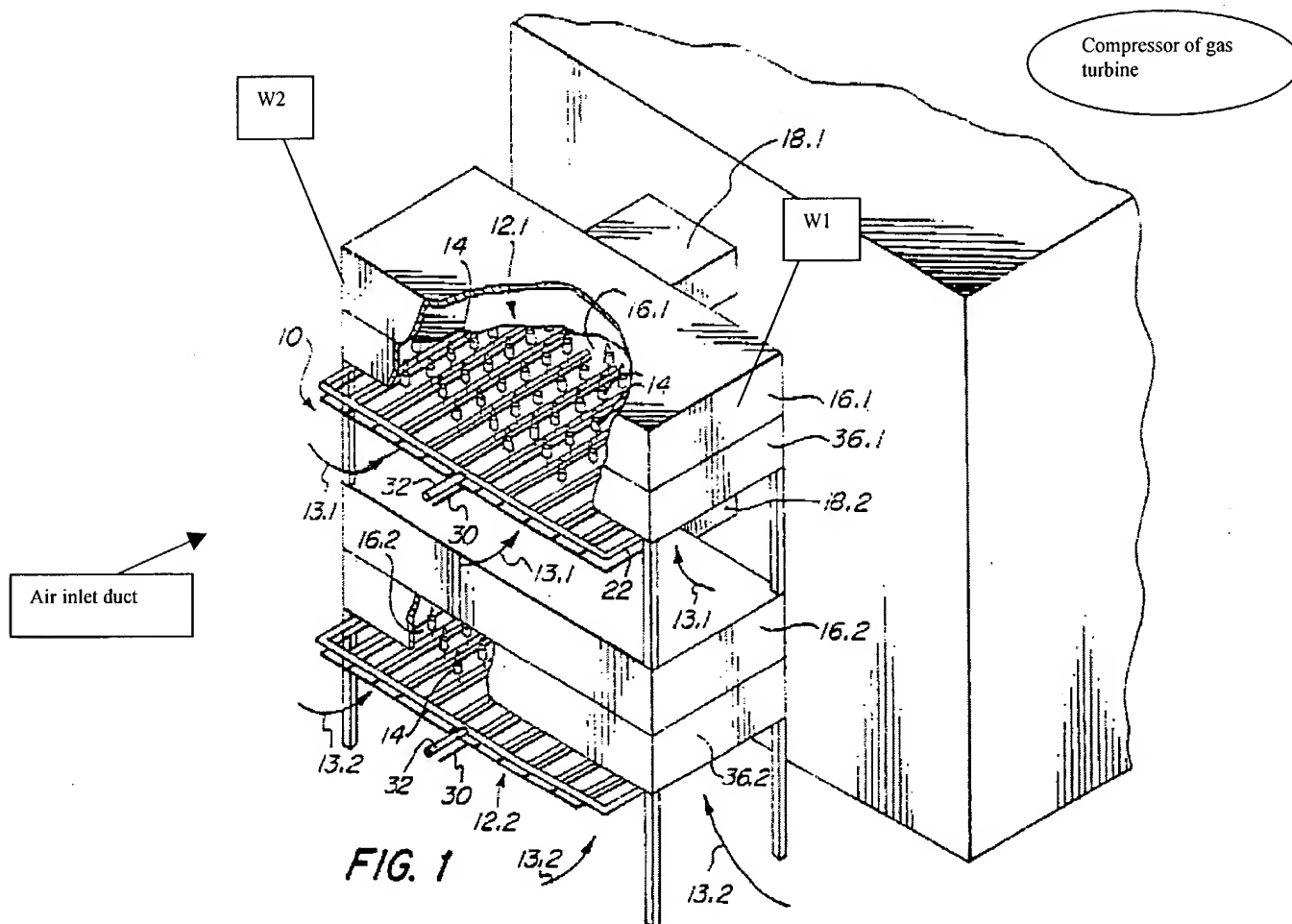
**DETAILED ACTION*****Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

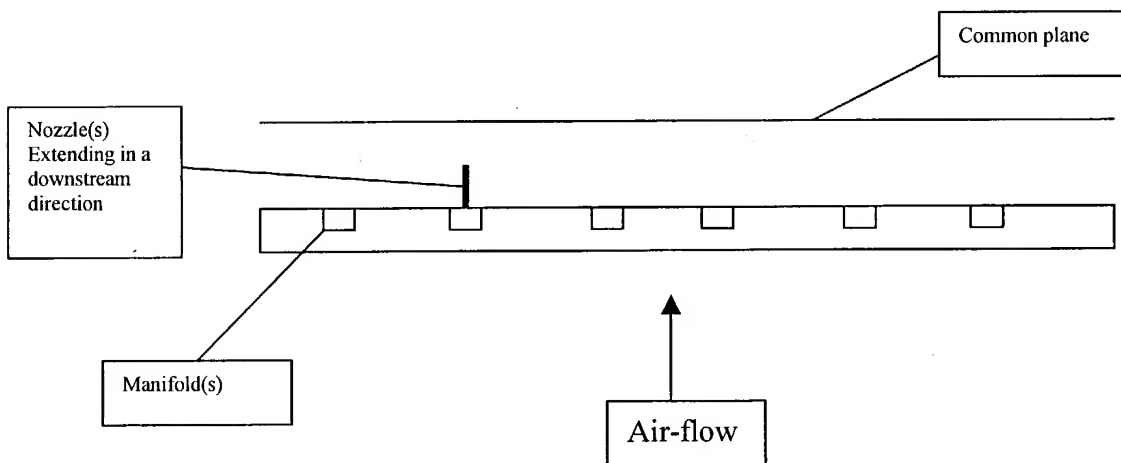
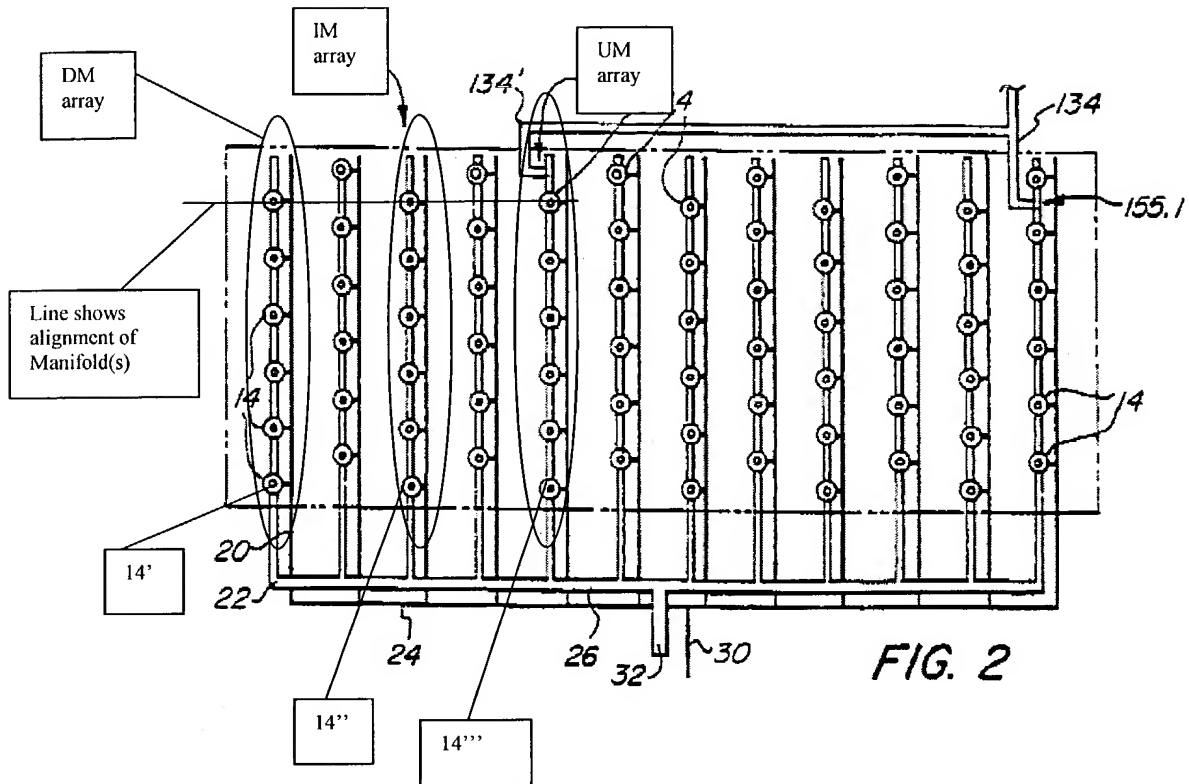
A person shall be entitled to a patent unless —

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by **Early et al.** (U.S. 5,463,873).



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With respect to claim 1, **Early** teaches a water mister apparatus for supplying humidified air to a compressor forming part of a gas turbine, comprising: an air inlet duct for supplying air to the compressor; a plurality of manifolds arranged in the air inlet duct for communication with a supply water and extending between opposite walls (W1, W2) of the duct, in spaced arrays (DM; IM, UM) thereof in a direction of air flow through the duct to the compressor, manifolds of each array thereof lying in substantial alignment with manifolds of other arrays thereof in the direction flow through the duct to the compressor; a plurality of nozzles (14'; 14''; 14''') in communication with each of the manifolds; a first set said plurality of nozzles 14' extending downstream direction from a downstream array of manifolds DM; a second set of said plurality of nozzles 14'' extending in a downstream direction from manifolds of said plurality thereof arrayed intermediate IM an array of upstream UM manifolds of said plurality thereof and said downstream DM array of manifolds; a third set said plurality nozzles 14''' extending in a downstream direction from said upstream UM array manifolds; said first 14', second 14'' and third 14''' sets of nozzles of said downstream DM, intermediate IM and upstream UM arrays of manifolds, respectively, terminating substantially in a common plane extending across said duct and generally normal to the direction of air flow through the duct. See particularly **Figures 1, 2** above; and column 1 lines 35-39 of **Early**.

With respect to claim 4, **Early** teaches that the nozzles of the first 14', second 14'' and third 14''' sets thereof are arranged in groups of three nozzles each with the three nozzles of each group being carried by aligned manifolds of the respective arrays thereof, the groups of nozzles being spaced across the duct from one another. See particularly **Figures 1, 2** above.

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With respect to claim 6, **Early** teaches a water mister apparatus for supplying humidified air to a compressor forming part a gas turbine, comprising: an air inlet duct for supplying to the compressor; a plurality of manifolds (DM; IM, UM) arranged in the air inlet duct for communication with a mister supply and extending between opposite walls (W1, W2) of the duct in downstream, intermediate and upstream arrays thereof spaced from one another in a direction of air flow through the duct to the compressor, each array having a plurality of said manifolds spaced one from the other and lying generally in a common plane generally perpendicular the direction air flow, manifolds of each array thereof lying in substantial alignment with the manifolds of other arrays thereof in the direction of air flow; a plurality of nozzles (14'; 14''; 14''') in communication with each of the manifolds; a first set said plurality of nozzles 14' extending in a downstream direction from said downstream array of manifolds; a second set of said plurality of nozzles 14'' extending in a downstream direction from said intermediate array of manifolds; a third set of said plurality of nozzles 14''' extending a downstream direction from said upstream array of manifolds; said first, second and third sets of nozzles of said downstream, intermediate and upstream arrays manifolds, respectively, terminating substantially a common plane extending across the duct and generally normal to the direction of air flow through the duct. See particularly **Figures 1, 2** above; and column 1 lines 35-39 of **Early**.

With respect to claim 9, **Early** teaches that the nozzles of the first 14', second 14'' and third 14''' sets thereof are arranged in groups of three nozzles each with the three nozzles of each group being carried by aligned manifolds of the respective arrays thereof, the groups of nozzles being spaced across the duct from one another. See particularly **Figures 1, 2** above.

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***Allowable Subject Matter***

3. Claims 2, 3, 5, 7, 8 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Contact information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Rodriguez whose telephone number is 571-272-4831. The examiner can normally be reached on Monday-Friday 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J Tyler can be reached on 571-272-4834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William H. Rodriguez  
Examiner  
Art Unit 3746